

SOUTHLAND DISTRICT COUNCIL

THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW 2005

Pursuant to the provisions of the Local Government Act 2002 and the Bylaws Act 1910, the Southland District Council resolves to make the following Bylaw:

SHORT TITLE AND COMMENCEMENT

This Bylaw shall be known as the ‘Southland District Council Keeping of Animals, Poultry and Bees Bylaw 2005’ and shall come into force on 1 August 2005.

REPEALS

The Southland District Council Keeping of Animals, Poultry and Bees Bylaw 1996 is hereby repealed.

DEFINITION

In this Part of this bylaw unless inconsistent with the context.

NUISANCE shall have the meaning assigned to it by the Health Act 1956.

1.0 PIG KEEPING

- 1.1 No person shall keep or allow to be kept any pigs in a Southland District urban resource area or industrial resource area.
- 1.2 No person shall keep any pigs so as to be or be likely to become or create a nuisance or any conditions injurious to health, or offensive or in such a manner as to pollute or be likely to pollute any fresh or coastal water as defined in the Resource Management Act 1991.
- 1.3 No person shall construct or allow any pigsty to remain, or any pigs to be at large or to range, at a less distance than 50 m from any dwelling, dairy, or any wholly or partly occupied building, or any street or public place or any place used for the preparation, storage, or sale of food for human consumption, or from any boundary of any adjoining property.

2.0 ANIMAL KEEPING

- 2.1 No horse or other beast of burden, cattle, goats, deer or ostriches shall be kept or permitted to remain in a Southland District urban resource area unless the owner has first sought and obtained the resource consent of Council.
- 2.2 Where any such horse or other beast of burden, cattle, goats, deer or ostriches are kept in a building, the building shall be properly constructed in accordance with the New Zealand Building Code, and appropriate consent be obtained in terms of the Building Act 1991 for the building.

3.0 POULTRY KEEPING

- 3.1 A maximum of 10 domestic fowls may be kept on any individual property in the Southland District urban resource area or industrial resource area, unless the owner has first sought and obtained the resource consent of Council. No other poultry, caged or otherwise, (which shall include geese, ducks, pigeons, turkeys and domestic fowls of all descriptions) shall be kept or permitted to remain in a Southland District urban resource area, unless resource consent has first been sought and obtained.
- 3.2 Every poultry house shall be constructed in the manner required by the provisions of the New Zealand Building Code and shall be properly constructed and covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nibwall, to which may be attached a poultry run.
- 3.3 No poultry house or poultry run shall be erected or maintained any part of which is within 10 m from any dwelling, factory, or any other building, whether wholly or partially occupied, or within its own height of the boundary of adjoining premises.
- 3.4 Every poultry house shall be thoroughly and effectively treated with insecticide at least once in every six months, and every outside poultry run shall be adequately graded and drained and be cleaned out weekly, and every poultry house shall be kept at all times clean and dry and in good repair by the owner of the poultry.
- 3.5 Nothing in this clause contained shall prevent any person keeping poultry in an auction room or in any premises used for the killing and dressing of poultry for sale for not more than 48 hours for the purpose of sale, or keeping poultry on his premises in an approved type of coop for the purpose of immediate consumption, or from keeping poultry in a bird fancier's shop for the purpose of sale.

4.0 NOISE FROM ANIMAL, BIRD OR FOWL

4.1 No person shall keep within any premises any noisy animal, bird, or poultry which shall be, or cause, a nuisance to residents in the neighbourhood.

5.0 BEE KEEPING

5.1 No person shall keep bees in a manner that:

- (a) is, or is likely to become, a nuisance, or
- (b) is, or is likely to become, offensive, injurious to health, or dangerous.

5.2 The local authority may prescribe conditions limiting the number of hives kept and the fixing of the location of such hives on the premises or place.

5.3 Where complaints are received in respect of the location of hives in any part of Southland District and the Chief Executive of the Southland District Council is satisfied, following consultation with the complainant(s) and owners of the hives, and with any other experts in the keeping of bees, that the location of the hives has resulted in bees causing a nuisance on any property located in the vicinity of the hives, then the owner of the hives may be directed to relocate or remove the hives completely.

6.0 DISPENSING POWER

6.1 It shall be lawful for the local authority in any particular case or cases, by resolution, to dispense with any of the foregoing requirements of this Part of this bylaw.

7.0 PENALTIES

Every person who commits a breach of this Bylaw is liable to a fine not exceeding \$20,000 in any case.

This Bylaw has been made and confirmed by resolution passed at a meeting of the Southland District Council held 27 July 2005.

THE COMMON SEAL of the }
SOUTHLAND DISTRICT COUNCIL }
was hereunto affixed in the presence of: }

_____ **COUNCILLOR**

_____ **CHIEF EXECUTIVE**